IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

MONDAY, THE 12TH MARCH 2007 / 21ST PHALGUNA 1928

Crl.Rev.Pet.No. 1032 of 2007()

CRA.266/2004 of SESSIONS COURT, PATHANAMTHITTA
CC.379/2003 of JUDL.MAGISTRATE OF FIRST CLASS COURT-II,PATHANAMTHITTA

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REVN. PETITIONER: APPELLANT/ACCUSED

MOHAMMAD MUSTAPHA, S/O.MEERA PILLAI
RAWTHER, KARIMPLAYICKAL MANGARAM,
KONNI.

BY ADV. SRI.S.HARIKRISHNAN
SRI.V.VENUGOPALAN NAIR

RESPONDENTS: COMPLAINANT & STATE

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1. STATE OF KERALA, REPRESENTED BY
THE ADDITIONAL PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. P.K.GOPINATHA KURUP (DIED),
PUTHUMANA HOUSE, MANGARAM, KONNI.

3. LALITHAMMA, W/O.LATE GOPINATHA KURUP,
PUTHUMANA HOUSE, MANGARAM, KONNI.

4. LEKSHMI GOPINATH, PUTHUMANA HOUSE,
MANGARAM, KONNI.

5. SMITHA G.NAIR,
PUTHUMANA HOUSE, MANGARAM, KONNI.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 12/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.1032 of 2007

Dated this the 12th day of March, 2007

ORDER

Revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to imprisonment till the rising of the court and to pay a compensation of Rs.35,000/- to the complainant and in default, to undergo simple imprisonment for three months.

2. Counsel for the revision petitioner has only sought for time to make the payment. In the circumstances, conviction and sentence is confirmed. Revision petitioner is granted four months' time from today onwards to make the payment, less the amount, if any, deposited. Revision petitioner shall appear before the Judicial First Class Magistrate Court-II, Pathanamthitta on 20.7.2007 to receive the sentence. Non bailable warrant, if any, pending shall be kept in abeyance till 20.7.2007.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl